

NCA
VOC FOR PGM/FN
BACKGROUNDER NO. 5-6034
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DISARRAY IN THE ACLU

ANNCR:

THE AMERICAN CIVIL LIBERTIES UNION, A NATIONAL ORGANIZATION WHOSE STATED PURPOSE IS TO DEFEND THE CONSTITUTIONAL RIGHTS OF AMERICANS WHO CLAIM THOSE RIGHTS HAVE BEEN VIOLATED, IS HAVING ITS TROUBLES THFSE DAY. JOHN ALBERT HAS THIS BACKGROUND REPORT.

VOICE:

THE AMERICAN CIVIL LIBERTIES UNION -- "ACLU" FOR SHORT -- WAS FOUNDED BACK IN 1920 BY A LAWYER NAMED ROGER BALDWIN WHO HAD TAKEN ON THE TASK OF DEFENDING THE LEGAL RIGHTS OF PACIFISTS AND DRAFT-RESISTERS AFTER THE FIRST WORLD WAR. EVER SINCE THEN, THE ACLU HAS BEEN A UNIQUE AMERICAN INSTITUTION, OFTEN AT VARIANCE WITH MAJORITY VIEWS, BUT ALWAYS READY TO DEFEND UNPOPULAR CAUSES IN COURT.

IN ITS BFST YEAR, 1974, THE ACLU HAD 274,000 MEMBERS AND ABOUT 3,000 UNPAID VOLUNTEER LAWYERS WORKING FOR ITS VARIOUS CAUSES AND CLIENTS. NOW THAT MEMBERSHIP HAS FALLEN TO 185,000 AND SOME PEOPLE THINK THE ACLU IS FACING AN INTERNAL CRISIS.

A MAJOR CONTROVERSY WITHIN THE ACLU'S OWN RANKS STEMS FROM ITS LEADERSHIP'S DECISION TO DEFEND THE LEGAL RIGHTS OF A SMALL BAND OF AMERICAN NAZIS WHO WANTED TO STAGE A DEMONSTRATION IN THE TOWN OF SKOKIE, ILLINOIS, A SUBURB OF CHICAGO. SKOKIE HAS A LARGE JEWISH POPULATION. AND MANY OF THFM ARE SURVIVORS OF HITLER'S WORLD WAR TWO DEATH CAMPS.

THE SKOKIE DEMONSTRATION NEVER HAPPENED, HOWEVER, BECAUSE THE COURTS -- ACCEPTING THE ACLU'S FREE-SPEECH ARGUMENTS -- ORDERED THE CITY OF CHICAGO TO PERMIT THE NAZIS TO DEMONSTRATE THERE INSTEAD.

THE ACLU'S SUCCESSFUL DEFENSE OF THE NAZIS' RIGHT TO DEMONSTRATE ROCKED THE ORGANIZATION. THOUSANDS OF MEMBERS WROTE ANGRY LETTERS TO THE ACLU LEADERSHIP AND MANY RESIGNED THEIR MEMBERSHIPS. NEVERTHELESS, THE ACLU LEADERSHIP -- WHICH INCLUDES A YOUNG JEWISH LAWYER NAMED DAVID GOLDBERGER, WHO BROUGHT THE COURT ACTION IN FAVOR OF THE NAZIS -- FIRMLY MAINTAINED THAT ANYBODY HAS THE RIGHT TO THE ACLU'S HELP IN DEFENSE OF HIS CIVIL LIBERTIES. AND THAT, SAID THE ACLU LEADERSHIP, HAS TO INCLUDE PEOPLE WHOSE VIEWS ARE LOATHSOME TO THE MAJORITY. HOWEVER, THE ACLU'S CRITICS ARGUED THAT DECLARED ENEMIES OF DEMOCRACY AND DEMOCRATIC RIGHTS LIKE THE NAZIS HAVE NO CLAIM TO THE DEFENSES AND SAFEGUARDS OF DEMOCRATIC INSTITUTIONS.

(OPT) THE SKOKIE INCIDENT WAS NOT THE ONLY CAUSE OF INTERNAL ACLU DISSENSION. IN A MARINE CAMP IN CALIFORNIA, IN 1976, SOME BLACK MARINES ATTACKED WHAT THEY THOUGHT WAS A MEETING OF THE KU KLUX KLAN, AN ORGANIZATION WITH STATED BIASES AGAINST JEWS, BLACKS, AND CATHOLICS. ACLU LAWYERS IN LOS ANGELES DEFENDED THE BLACKS, AND THE SAN DIEGO, CALIFORNIA CHAPTER OF THE ACLU REPRESENTED THE KLANSMEN. HERE TOO, CRITICS SAID THAT AN ORGANIZATION LIKE THE KLAN -- WITH OPENLY RACIST VIEWS -- HAD NO CLAIM TO ASSISTANCE FROM THE ACLU. (END OPT)

BEYOND SUCH CONTROVERSIES, THE ACLU, SOME OBSERVERS SAY, HAS BEEN SUFFERING FROM TWO BASIC PROBLEMS. FIRST, CLEAR AND UNIFYING CAUSES, SUCH AS THE CIVIL RIGHTS MOVEMENT OF THE 1960S, AND THE ANTI-VIETNAM-WAR MOVEMENT, HAVE DISAPPEARED. ALSO, CRITICS SAY, THE ACLU HAS GONE FAR BEYOND ITS ORIGINAL PURPOSE OF DEFENDING CIVIL LIBERTIES IN COURT. THEY POINT OUT THAT ACLU TOOK PART

DIRECTLY IN THE CIVIL RIGHTS CAMPAIGN. AND THEY NOTE THAT THE ACLU WAS THE FIRST NATIONAL ORGANIZATION TO CALL FOR THE IMPEACHMENT OF PRESIDENT NIXON. IN SHORT, THE CRITICS SAY THAT THE ACLU HAS GOTTEN DIRECTLY INVOLVED IN POLITICS.

ON ANOTHER SCORE, ILLUSTRATING THE ARGUMENT OVER WHAT THE ACLU SHOULD OR SHOULD NOT BE INVOLVED IN, ONE GROUP WITHIN THE ORGANIZATION HAS URGED THAT THE ACLU EXTEND ITS WORK INTO THE FIELD OF ECONOMIC RIGHTS. BUT THE MAJORITY OF THE ACLU LEADERSHIP HAS DECIDED THAT THE ORGANIZATION WILL ONLY GET INVOLVED IN ANTI-POVERTY QUESTIONS IF THERE IS "A DIRECT AND SUBSTANTIAL CONNECTION BETWEEN POVERTY AND PARTICULAR DEPRIVATIONS OF CIVIL LIBERTIES."

EVEN SO, THE BASIC CONTROVERSY -- IN AND OUT OF THE ACLU -- GOES ON. ITS MEMBERS, CRITICS, AND SUPPORTERS ARE STILL ARGUING OVER WHETHER, IN ITS ZEAL, THE ORGANIZATION GOES TOO FAR, OR, NOT FAR ENOUGH, IN ITS DEFENSE OF PEOPLE'S RIGHTS.

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